

Proposed Committee Comments to
Amendment to Rule 32, Ala. R. Jud. Admin.

Committee comments to the Amendment to Rule 32,
effective _____, 202_.

Rule 32 was amended effective ____, 202_, to provide a simplified procedure for the reduction of child support in those cases involving multiple children where one or more of those children will emancipate within two years of the entry of the child-support order.

Rule 32(A)(3) was amended to add subpart (g)(1) to provide trial courts the discretion, in those instances when one or more children will become ineligible to receive child support within two years of a child-support order being entered, to calculate child support on multiple worksheets and to order that the reduced child-support amount become effective when the older child(ren) emancipate(s) without the necessity of additional court action. In those instances when a court exercises its discretion under this Subsection and an income-withholding order is in place for the payment of child support, the income-withholding order still will need to be amended once the older child(ren) become(s) ineligible for child support. In those cases, the obligor parent should follow the procedure required to cause an amended income-withholding order to be issued to his or her employer, so the appropriate, reduced amount of child support is withheld.

Rule 32(A)(3) was amended to add subpart (g)(2) to require trial courts to include certain prescribed language in their orders establishing child support involving multiple children. The prescribed language is intended to assist parties who are subject to those child support-orders to avoid the common problems of either inequitably continuing to pay child support for ineligible children or unilaterally reducing the child

support which could lead to a shortfall in support for the remaining children.